

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DARRELL GOSTON,

Petitioner,

v.

9:08-CV-0462

ROBERT K. WOODS,

Respondent.

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APPEARANCES:

DARRELL GOSTON

01-B-0166

Petitioner *pro se*

Upstate Correctional Facility

P.O. Box 2001

Malone, New York 12953

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 25<sup>th</sup> day of June 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

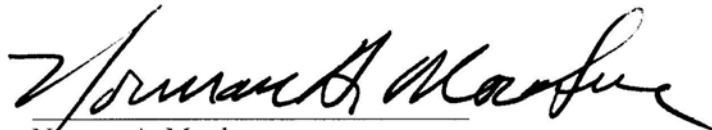
1. The Report-Recommendation is hereby adopted in its entirety.
2. The Petition for Writ of *Habeas Corpus* (Dkt. No. 1) is dismissed for the reasons set forth in the May 19, 2008 Order to Show Cause (Dkt. No. 4).

3. The Petitioner's motion for preliminary injunction/restraining order (Dkt. No. 2) is denied.

4. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: July 17, 2008  
Syracuse, New York

A handwritten signature in black ink, appearing to read "Norman A. Mordue", written over a horizontal line.

Norman A. Mordue  
Chief United States District Court Judge